

**For discussion  
on 25 June 2014**

**Legislative Council Panel on Environmental Affairs**

**Impact of Construction Works on Important Species, Marine Ecology  
and the Fisheries Industry**

**Purpose**

This paper briefs members on the efforts made by the Administration to conserve marine ecology and important species, and to avoid and minimize the impact of construction works on marine ecology and important species in Hong Kong.

**An Overview of Nature Conservation Policy in Hong Kong**

2. The Government's nature conservation policy is to regulate, protect and manage natural resources that are important for the conservation of biological diversity of Hong Kong in a sustainable manner, taking account of social and economic considerations, for the benefit and enjoyment of the present and future generations of community. Our policy objectives<sup>[1]</sup> are to

- identify and monitor the important components of biological diversity;
- identify, designate and manage a representative system of protected areas for conservation of biological diversity;
- promote the protection of ecosystem and important habitats, and the maintenance of viable populations of species in natural surroundings;
- identify, monitor and assess activities that may have adverse impacts on biological diversity and to mitigate such impacts;
- rehabilitate degraded ecosystems and promote the recovery of threatened species where practicable;

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<sup>1</sup> The Government's nature conservation policy statement and objectives are available at:  
(Policy Statement)

[http://www.afcd.gov.hk/english/conservation/con\\_nncp/con\\_nncp\\_ps/con\\_nncp\\_ps.html](http://www.afcd.gov.hk/english/conservation/con_nncp/con_nncp_ps/con_nncp_ps.html)

(Policy Objectives)

[http://www.afcd.gov.hk/english/conservation/con\\_nncp/con\\_nncp\\_po/con\\_nncp\\_po.html](http://www.afcd.gov.hk/english/conservation/con_nncp/con_nncp_po/con_nncp_po.html)

- promote the protection and sustainable use of natural resources that are important for the conservation of biological diversity;
- provide opportunities for people to appreciate the natural environment;
- promote public awareness of nature conservation;
- collaborate with the private sector including the business community, non-governmental organizations and the academia to promote nature conservation, and to conduct research and surveys as well as to manage ecologically important sites for such purpose; and
- co-operate with and participate in regional and international efforts in nature conservation.

3. The above policy goals and objectives are implemented through various programmes and initiatives. In 2013, the Government has embarked on an exercise to develop a city-level Biodiversity Strategy and Action Plan (BSAP) under the Convention on Biological Diversity. The BSAP will be developed by 2015.

### **Existing Statutory and Administrative Mechanisms**

4. The statutory and administrative mechanisms to avoid, minimize and control the impacts of construction works on marine ecology and important species are set out below.

(a) Environmental Impact Assessment Ordinance

5. The Environmental Impact Assessment Ordinance (EIAO) (Cap. 499) is one of the tools to protect marine ecology and important species. Works classified as designated projects under the EIAO must obtain an environmental permit (EP) before commencement. The statutory process may require an environmental impact assessment (EIA) study and preparation of an EIA report if the project has potential to cause adverse environmental impacts, including those on marine ecology, important species and fisheries. Agriculture, Fisheries and Conservation Department (AFCD) advises Environmental Protection Department (EPD) on nature conservation, ecological and fisheries matters. Mitigation measures needed to avoid, minimize or compensate the identified impacts will be imposed as conditions of the EP to ensure implementation. A list of designated projects involving submarine engineering works which will be subject to

EIAO is given in **Annex**.

(b) Foreshore and Sea-bed (Reclamations) Ordinance

6. The Foreshore and Sea-bed (Reclamations) Ordinance (FS(R)O) (Cap. 127) provides for an existing statutory framework for marine works projects involving reclamation, which covers the procedural matters related to reclamation, including publication of proposals in respect of reclamations over and upon any foreshore and sea-bed and objections to the proposals, the payment of compensation and connected matters. The Ordinance applies to all reclamation works <sup>[2]</sup> within the HKSAR, unless the works are gazetted under the Railways Ordinance or the Roads (Works, Use and Compensation) Ordinance. Before reclamation is started, gazetting and other actions under the FS(R)O must be taken. Before gazetting, the project proponent should ensure that, amongst others,

- (a) the project is in accordance with approved policies;
- (b) relevant departments (including AFCD and EPD) be consulted and no objection be received;
- (c) the relevant District Council be consulted; and
- (d) the applicable requirements under the EIAO be met.

Under FS(R)O, any person who considers that he has an interest, right or easement in or over the foreshore and sea-bed described in the notice published in the Gazette may object to the proposed reclamation within two months. Upon receipt of objections, the project proponent should formulate means of overcoming objections, which may include modification of the scheme, and should clarify any misunderstandings that may exist. Before any objection is submitted to the Chief Executive in Council, the Government would try to resolve the objection through discussion with the objector concerned.

(c) Dumping at Sea Ordinance

7. For works projects involving the disposal of marine sediments at sea, these disposal operations are confined to designated sediment disposal grounds and they are subject to the controls of the Dumping at Sea

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<sup>2</sup> The term "reclamation" has a wide meaning. In general, it refers to all works of permanent nature over or upon the shore and bed of the sea and of any tidal water within Hong Kong below the line of the high water mark.

Ordinance (DASO) (Cap. 466). Project proponents are required to carry out prior sampling and testing of the sediments to be dredged for disposal in accordance with the technical procedures set out in “Environment, Transport and Works Bureau Technical Circular (Works) No. 34/2002” or, where applicable, the “Buildings Department Practice Note for Authorized Persons and Registered Structural Engineers No. 252” (re-issued as ADV-21). The disposal operations would be conducted at designated sediment disposal grounds allocated by the Marine Fill Committee. Barge vessels transporting the sediments for marine disposal are closely monitored by a real-time tracking system, and inspections are conducted by EPD to deter violation of the statutory control requirements <sup>[3]</sup>.

(d) Water Pollution Control Ordinance

8. Where polluting effluent is generated from construction and related activities by works projects, the effluent needs to be properly treated before discharge into drains or the receiving waters, in accordance with the requirements of the Water Pollution Control Ordinance (WPCO) (Cap. 358). A WPCO discharge licence shall be obtained which sets out the conditions and standards to be met by the discharge. EPD will conduct surveillance and inspections to ensure compliance.

(e) Merchant Shipping (Local Vessels) Ordinance

9. In general, construction vessels are purpose-built vessels such as dredger, hopper barge, dumb lighter, tug, work boat, etc., being used to carry out various kinds of marine works in Hong Kong waters. They are classified as Class II vessels in Schedule 1 of the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D). Construction vessels have to comply with the relevant legislations for the prevention and control of pollution; and the relevant safety requirements and practical guidance as stated in the Codes of Practice approved by the Director of Marine.

10. For controlling the discharges from vessels, including construction

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<sup>3</sup> At the meeting on 14 June 2013, the Administration informed Members of the EA Panel on the regulatory and management controls currently put in place to minimize the impact on the marine environment arising from dredging and sediment dumping activities in the Hong Kong waters (paper number: CB(1)1269/12-13(03)).

vessels, into the marine environment, the Marine Department is empowered under relevant legislations to prevent and control the discharge of oil or mixture containing oil from these vessels into the waters of Hong Kong. Under normal circumstances, no oil or mixture containing oil is allowed to be discharged from vessels into the sea during their daily operations. In brief, “Section 47 – Discharge of oil into the waters of Hong Kong” of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) stipulates that it is an offence for discharging oil or mixture containing oil into the waters of Hong Kong.

(f) Administrative Mechanism on Ex-gratia Allowances for Fishermen and Mariculturists affected by Marine Works Projects in Hong Kong Waters

11. Fishermen are not entitled to statutory compensation when they lose their habitual fishing grounds permanently or temporarily due to marine works projects as they have no legal rights over the waters where they habitually fish. However, recognizing that affected fishermen may suffer a reduction of income and may incur extra expenses in relocating their activities to fishing grounds elsewhere, administratively, ex-gratia allowance (EGA) may be granted to local fishermen whose livelihood is affected by marine works project. Similarly, EGAs may be granted to mariculturists affected by marine works carried out in the vicinity of fish culture zones.

### **Efforts to Enhance the Protection of Marine Ecology and Important Species**

12. Over the years, the Government has made various efforts to enhance the protection of marine ecology and important species in Hong Kong. Some major examples are set out below.

(a) Conservation of Chinese White Dolphins

13. With the implementation of the conservation programme for the Chinese White Dolphin in 2001, dedicated monitoring on this resident marine mammal species was conducted uninterrupted for over a decade. When the abundance of dolphins in Hong Kong waters has shown signs of decline in recent years, the research and monitoring effort was further

strengthened to closely study their occurrence patterns and temporal trends. New management measure was also introduced and the territory-wide trawl ban (including pair, stern, shrimp and hang trawling), which took effect on 31 December 2012, would help conserve the dolphins by enhancing marine and fisheries resources on which the dolphins' long-term survival also depends. Since dolphins found in Hong Kong waters are part of the Chinese White Dolphin population inhabiting the Pearl River Estuary, cross-boundary cooperation is essential in ensuring the viability of the whole population. The Government is working closely with the Guangdong administration in conserving the Chinese White Dolphin using waters of both the Mainland and Hong Kong.

(b) Protection of Wetland in Lok Ma Chau (LMC) under the Spurline Project

14. As one of the mitigation measures recommended in the Spurline EIA report, ecological habitats lost due to the project were compensated by establishing an ecological enhancement area (EEA) which comprises about 27 ha of fishponds, 0.2 ha of marshland and 0.7 ha of reed-bed in LMC. A recent review by the project proponent confirmed that the EEA had been successfully established and provided favourable habitats for a wide range of ecological important species including mammalian, bird, amphibian and reptilian.

(c) Management Agreement for Enhancing Fung Yuen

15. Since late 2005, the Environmental Association has been managing 2 ha of the Fung Yuen Butterfly Reserve under a Management Agreement (MA) project funded by the Environment and Conservation Fund. Habitat management works including removal of *Mikania* and other unwanted invasive weeds, as well as planting and maintenance of butterfly larval food plants and nectar plants were carried out within the Reserve. There has been a substantial increase in the diversity of butterfly species with the number of species increased from 162 in 2005 to over 210 in 2013, indicating the success of the project in enhancing the butterfly habitats there.

(d) Management Agreement for Enhancing Long Valley

16. Currently, over 15 ha of land at Long Valley and Ho Sheung

Heung are under active management in the MA project jointly undertaken by the Conservancy Association and the Hong Kong Bird Watching Society. Conservation management measures including wet agriculture, draining down of fishponds and adopting organic farming practices etc. have successfully increased the abundance and richness of birds in the area. The total number of bird species recorded has increased substantially from 221 in 2005 to 297 in 2013, which accounts for more than 50% of the total number of bird species in Hong Kong.

### **Measures to Address the Impact of On-going Construction Works on Ecology and Locally Important Species**

17. In response to enquiries of Members, we append below reports of the measures adopted in some of the on-going construction works to avoid and mitigate impacts on ecology.

- (a) Construction Works relating to the Hong Kong-Zhuhai-Macao Bridge (HZMB) local projects including the Hong Kong Boundary Crossing Facilities (HKBCF), the Hong Kong Link Road (HKLR), and the Tuen Mun-Chek Lap Kok Link (TM-CLKL)

18. EIAs were carried out during the planning and design stage of the HZMB local projects. With the implementation of mitigation measures, the projects are considered ecologically acceptable. For example, by adopting non-dredging method for reclamation and seawall construction, the potential construction impacts on marine ecology would be greatly minimized. In addition, the EPs of the HZMB local projects specify, amongst other measures to mitigate water quality impacts, the requirement for installing perimeter silt curtains in the waters surrounding the reclamation sites to prevent the dispersion of silt matters arising from the marine construction works. The EPs also stipulate the requirements for implementing acoustic decoupling measures, marine vessel speed limit and dolphin exclusion zone / dolphin watching plan to minimize disturbances to Chinese White Dolphins. Environmental monitoring and audit programmes have been put in place to ensure that these mitigation measures are being properly implemented and are effective.

19. Highways Department has employed Independent Environmental

Checkers to verify the monitoring results and environmental performance while EPD staff also conducted visits to the site to check if environmental mitigation measures were implemented in accordance with the EP requirements and relevant environmental ordinances. An independent Environmental Project Office has also been set up before the commencement of the construction of the HZMB local projects in compliance with the EP requirements to oversee the cumulative environmental impacts arising from the HZMB local projects and other concurrent projects in the adjoining area.

20. In addition, to compensate for the loss of Chinese White Dolphins habitat due to the HZMB local projects, the Government has committed to designate the waters around The Brothers as a marine park in accordance with the statutory process stipulated in the Marine Parks Ordinance. The design of the proposed marine park has commenced in September 2012 on the understanding that designation of the marine park would immediately follow the completion of the HZMB HKBCF project.

21. The reclamation works have been carried out in accordance with the relevant gazettals. To facilitate the reclamation works of the HZMB HKBCF reclamation contract, the Contractor had temporarily occupied some of the works area permitted under the Marine Department Notice for maneuvering of construction plants and associated temporary environmental and safety measures. As some of the reclamation works have been completed, the Contractor is in the process of removing the associated construction plants and temporary measures off the site.

(b) Village construction works on butterflies in Fung Yuen

22. Questions have been raised about the potential impact from a private residential development project on the adjacent Fung Yuen Butterfly Reserve. The development will provide over 1 000 flat units and is tentatively scheduled for completion in 2014. In approving the project, the Town Planning Board has imposed a condition that the developer is required to implement mitigation measures to protect Fung Yuen Valley Site of Special Scientific Interest (SSSI) to the satisfaction of the Director of Agriculture, Fisheries and Conservation or the Town Planning Board. One of the key mitigation measures identified in the ecological assessment was the establishment of a 50m buffer zone between the proposed residential development and the SSSI by planting trees, shrubs and butterfly nectar



plants such as *Lantana camara* and *Duranta repens*.

23. Since 2002, AFCD has been carrying out regular patrol and ecological monitoring at the Fung Yuen Valley SSSI to keep track of the conditions and detect any irregularities. Up till now, no adverse ecological impact on the SSSI due to the nearby residential development has been observed, although there are fluctuations in butterfly abundance and species richness. AFCD would continue the regular patrol and ecological monitoring as well as its habitat enhancement work at the SSSI.

(c) On-going Marine Works relating to Submarine Cables

24. Submarine cables are usually laid beneath the seabed by employing the jet ploughing method which makes use of a water jetting machine to fluidize the seabed sediment and simultaneously laying and burying the cables. Dredging of seabed is not required except for a short section at the shore-end landing point. Due to the small size of cables (average diameters are about 60mm and 300mm for telecom and electricity cables respectively), disturbance to the seabed will be localized along the cable alignment and dispersion of sediment will be of short duration. Moreover, the proper selection of tidal conditions for the cable laying works will ensure that the potential impact on marine ecology will be minimized if the works are progressing close to ecological important habitats such as site of special scientific interest, marine park, coastal protection area etc..

25. Parties who wish to seek statutory approvals for laying submarine cables and landing them at an existing cable landing station (CLS), or to build a new CLS may submit their applications directly to the relevant government departments, such as the Lands Department, Marine Department, Town Planning Board and EPD. In respect of submarine cables for telecommunications, parties may submit their applications through the Office of the Communications Authority, who provides a single-point-of-contact service coordinating the applicants with the relevant government departments. The applicants are responsible for their applications, for securing the necessary statutory approvals and are required to comply with the procedures and requirements laid down by these government departments and for implementing suitable measures to avoid and minimize impacts to marine ecology and important species.

26. For submarine cable projects subject to the EIAO, project proponents are required to obtain EPs from EPD. EPs would stipulate conditions on the dredging methods, the mitigation measures to be put in place, and the environmental monitoring and auditing requirements necessary to ensure protection of the environment.

### **Impact of Future Construction Works on Ecology and Locally Important Species**

#### (a) Three-Runway System (3RS) Project

27. The Airport Authority Hong Kong (AAHK) has completed the EIA study for the project and submitted the study report to EPD on 17 April 2014. Upon EPD's notification on 12 June 2014 that the EIA report has met the requirement of the Study Brief and the Technical Memorandum on EIA Process, AAHK has made the EIA report available for public inspection on 20 June 2014 for a period of 30 days. In accordance with the Study Brief, the EIA report had assessed the environmental impacts arising from the 3RS project on 12 aspects, including that on marine ecology with particular focus on Chinese White Dolphins. AAHK has proposed various measures to mitigate, minimize and compensate the ecological impacts arising from the project. These measures include, for example, the establishment of a new marine park, the re-routing of high-speed ferries operating at SkyPier to travel outside the proposed marine park area, the adoption of non-dredged method for reclamation and seawall construction, the introduction of Deep Cement Mixing technology for foundation improvement, etc.. The EIA report is being processed in accordance with the statutory procedures under the EIAO.

#### (b) Reclamation in the Waters of Lantau Island and Lung Kwu Tan

28. The Civil Engineering and Development Department (CEDD) have selected five potential nearshore reclamation sites (including Lung Kwu Tan, Siu Ho Wan and Sunny Bay in the northern waters of Lantau Island) based on the site selection criteria confirmed during the public engagement exercise and broad technical assessment under the "Enhancing Land Supply Strategy: Reclamation outside Victoria Harbour and Rock Cavern Development" study. The study identified the impacts on Chinese White

Dolphins as one of the key environmental concerns, in particular those potential cumulative impacts in the western waters

29. In view of a number of infrastructure projects being constructed and planned in the same waters, CEDD engaged experts in August 2013 to commence the on-site field monitoring of Chinese White Dolphins and commenced a non-statutory cumulative environmental impact assessment (CEIA) study for the three potential reclamation sites in September 2013 to ascertain the environmental carrying capacity of that waters, in particular for the impacts on Chinese White Dolphins and marine ecology.

30. The CEIA study will assess the cumulative impacts of the three potential reclamation sites together with other on-going and planned projects on four environmental aspects including marine ecology (including Chinese White Dolphins), fisheries, air quality and water quality. If necessary, the study will propose appropriate avoidance, mitigation, control and compensatory measures to avoid/mitigate/control up front the possible cumulative impacts. The study is anticipated to be completed in the second half of 2014.

31. In addition, under the consultancy study for individual reclamation projects, environment impact assessment will be carried out according to the EIAO so as to ensure an environmentally acceptable scheme/design and associated mitigation measures should be drawn up in taking forward the project. The EIAO process for the potential nearshore reclamation sites is yet to commence.

(c) Strategic Studies for Artificial Islands in the Central Waters

32. Subject to funding approval, CEDD will commence the Strategic Studies for Artificial Islands in the Central Waters to explore the feasibility of constructing artificial islands in the central waters between Hong Kong Island and Lantau, including development of an East Lantau Metropolis. A non-statutory strategic environmental assessment will be conducted under the study to evaluate at strategic level the environmental implications and address potential environmental issues.

33. EIA will be carried out for the proposed reclamation and major infrastructure in the future planning and engineering studies, which are

designated projects under the EIAO, to ascertain the environmental acceptability and propose avoidance and mitigation measures for the proposed reclamation.

(d) Tung Chung New Town Extension

34. The Tung Chung New Town Extension Study, jointly commissioned by CEDD and the Planning Department (PlanD), aims at proposing a development plan which can cater for housing, social, economic, environmental and local needs. Apart from meeting housing demands, the proposed extension areas to the east and west of the existing Tung Chung New Town also help to address the calls for more community, transport and other infrastructure facilities from the local residents at Tung Chung.

35. A statutory EIA study is being conducted pursuant to the EIAO to fully examine the environmental issues concerned. Appropriate avoidance and mitigation measures, where needed, will be put in place to ensure that the proposed new town extension is environmentally acceptable. Ecological surveys are being carried out to identify species of conservation interest while potential ecological impacts arising from the proposed reclamation are being assessed with due regard to possible change in water quality and hydrodynamic regime.

### **Other Measures to Conserve Our Marine Ecosystem**

36. Apart from the above mechanisms and efforts, we have implemented various measures to conserve the marine environment. Measures taken for the conservation and sustainability of our marine ecosystem include:

- (a) enhancing the water quality of Hong Kong through planning against pollution, the sewerage programme and the enforcement of legislation;
- (b) implementing a variety of conservation measures (covering management measures, research, monitoring and cross-boundary cooperation etc.) for important marine species such as Chinese white dolphins, corals, sea turtle to maintain their long-term viability in Hong Kong waters;

- (c) designating marine and terrestrial protected areas;
- (d) introducing Artificial Reef Programme under which a variety of artificial reefs are deployed at different sites locally with a view to enhancing fisheries and ecological resources;
- (e) education and publicity; and
- (f) cross-boundary liaison.

## **Conclusion**

37. The Government attaches importance to ecological conservation. The Government will continue the efforts to promote marine conservation and protect the marine ecosystem through various measures described above.

**Environment Bureau**

**Development Bureau**

**Transport and Housing Bureau**

**Environmental Protection Department**

**Agriculture, Fisheries and Conservation Department**

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**Designated Projects listed in Schedule 2 of EIAO which will involve submarine engineering works:**

**B – AIRPORTS AND PORT FACILITIES**

- B.3 A container terminal (including its container backup facility).
- B.4 A public cargo working area –
  - (a) of more than 1000m cargo working length; or
  - (b) with a cargo working length between 500m and 1000m within 50m of an existing or planned –
    - (i) residential area;
    - (ii) place of worship;
    - (iii) educational institution; or
    - (iv) health care institution.
- B.6 A facility for ship building or ship repairing yard more than 1 ha in size or with a lifting capacity in excess of 20 000 tonnes.
- B.7 A river trade terminal.
- B.8 A mid-stream operation facility.

**C – RECLAMATION, HYDRAULIC AND MARINE FACILITIES, DREDGING AND DUMPING**

- C.1 Reclamation works (including associated dredging works) more than 5 ha in size.
- C.2 Reclamation works (including associated dredging works) more than 1 ha in size and a boundary of which –
  - (a) is less than 500 m from the nearest boundary of an existing or planned –
    - (i) site of special scientific interest;
    - (ii) site of cultural heritage;
    - (iii) bathing beach;
    - (iv) marine park or marine reserve;
    - (v) fish culture zone;
    - (vi) wild animal protection area;
    - (vii) coastal protection area;

- (viii) conservation area;
  - (ix) country park; or
  - (x) special area
- C.3 Reclamation works –
- (a) resulting in 5% decrease in cross sectional area calculated on the basis of 0.0 mPD in a sea channel; or
  - (b) occupying an area on plan in excess of 10% of any enclosed or semi-enclosed waterbody.
- C.4 A breakwater more than 1 km in length or a breakwater extending into a tidal flushing channel by more than 30% of the channel width.
- C.5 A typhoon shelter designed to provide moorings for not less than 30 vessels.
- C.9 A marine borrow area.
- C.10 A marine dumping area.
- C.12 A dredging operation exceeding 500 000 m<sup>3</sup> or a dredging operation which -
- (a) is less than 500m from the nearest boundary of an existing or planned –
    - (i) site of special scientific interest;
    - (ii) site of cultural heritage;
    - (iii) bathing beach;
    - (iv) marine park or marine reserve;
    - (v) fish culture zone;
    - (vi) wild animal protection area;
    - (vii) coastal protection area;
    - (viii) conservation area.

## E – WATER EXTRACTION AND WATER SUPPLY

- E.3 A submarine water supply pipeline with a diameter of 1 200 mm or more and a length of more than 1 km.

## F – SEWAGE COLLECTION, TREATMENT, DISPOSAL AND REUSE

- F.5 A submarine sewage pipeline with a diameter of 1 200 mm or more and a length of 1 km or more.

F.6 A submarine sewage outfall.

## H – UTILITY PIPELINES, TRANSMISSION PIPELINES AND SUBSTATIONS

H.2 A submarine gas pipeline or submarine oil pipeline

## I – WATERWAYS AND DRAINAGE WORKS

- I.1 A drainage channel or river training and diversion works-
- (a) with a channel width of more than 100m; or
  - (b) which discharges or discharge into an area which is less than 300m from the nearest boundary of an existing or planned –
    - (i) site of special scientific interest;
    - (ii) site of cultural heritage;
    - (iii) marine park or marine reserve;
    - (iv) fish culture zone;
    - (v) wild animal protection area;
    - (vi) coastal protection area; or
    - (vii) conservation area.

## L – STORAGE, TRANSFER AND TRANS-SHIPMENT OF FUELS

- L.1 A storage, transfer and trans-shipment of liquefied petroleum gas facility with a storage capacity of not less than 200 tonnes.
- L.2. A storage, transfer and trans-shipment of liquefied natural gas facility with a storage capacity of not less than 200 tonnes.
- L.3. A storage, transfer and trans-shipment of coal or ore facility with a storage capacity of not less than 200 tonnes.
- L.4. A storage, transfer and trans-shipment of oil facility with a storage capacity of not less than 1 000 tonnes.



## O –TOURIST AND RECREATIONAL DEVELOPMENTS

- O.2. A marina designed to provide moorings or dry storage for not less than 30 vessels used primarily for pleasure or recreation.

## Q - MISCELLANEOUS

- Q.1. All projects including ... dredging works and other building works partly or wholly in an existing or gazetted proposed ... marine park or marine reserve ... and a site of special scientific interest, except for the following---
- (a) minor maintenance works to roads, drainage, slopes and utilities;
  - (b) minor public utility works including the installation of telecommunication wires, joint boxes, power lines with a voltage level of not more than 66 kV, and gas pipelines with a diameter of 120 mm or less;
  - (c) education and recreational facilities not otherwise designated projects listed in Parts A to P and approved by the Country and Marine Parks Authority;
  - (d) all earthworks relating to forestry, agriculture, fisheries and the management of vegetation;
  - (e) New Territories exempted houses;
  - (f) footpaths and facilities relating to sitting out areas;
  - (g) minor facilities relating to the management and protection of marine parks, marine reserves, country parks and special areas;
  - (h) all works not otherwise designated projects listed in Parts A to P undertaken by the Country and Marine Parks Authority under section 4 of the Country Parks Ordinance (Cap. 208) or section 4 of the Marine Parks Ordinance (Cap. 476) for developing and managing country parks and special areas, marine parks and marine reserves;
  - (i) maintenance of existing waterworks installations; or
  - (j) minor works including---
    - (i) improvements to catchwaters;
    - (ii) the provision of –

- (A) water pipes and valves of diameter 450 mm or less;
- (B) water tanks;
- (C) hydrological stations and associated structures;  
and
- (D) village supply schemes.